

United States Environmental Protection Agency  
Criminal Investigation Division  
**Investigative Activity Report**

0606-0015  
Case Number

Case Title:  
CES Environmental Services

Reporting Office:  
Dallas Area Office

Subject of Report:  
Interview of (b) (6), (b) (7)(C)

Copies to:  
SA (b) (6), (b) (7)(C)

Related Files:

Reporting Official and Date:

(b) (6), (b) (7)(C)

SA (b) (6), (b) (7)(C)

Approving Official and Date:

(b) (6), (b) (7)(C)

ASAC (b) (6), (b) (7)(C)

**SYNOPSIS**

On 08/04/2009 Special Agent (b) (6), (b) (7)(C) and Port Arthur Police Detective (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) regarding (b) (6), (b) (7)(C) knowledge of CES Port Arthur (CESPA) operations. (b) (6), (b) (7)(C) is the Health and Safety manager for CES. (b) (6), (b) (7)(C) said the deaths at CESPA were not related to any health or safety violations but (b) (6), (b) (7)(C) did not know whether the death at CES Houston was do to any health or safety violations.

(b) (6), (b) (7)(C) explained CES operating procedures including how CES recieved chemicals from Delta Chemical Services. (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C) (LNU, both CES employees) would go to Delta Chemical Services (chemical packaging plant) to inventory containers and profile chemicals being received from Delta. (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C) would label drums before they left Delta.

**DETAILS**

On 08/04/2009 at approximately 0900 hours, Special Agent (b) (6), (b) (7)(C) and Port Arthur Police Detective (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) (2011 Kingsway Dr, League City TX, 77573, Cell: (b) (6), (b) (7)(C), DOB: (b) (6), (b) (7)(C), SS# (b) (6), (b) (7)(C) regarding (b) (6), (b) (7)(C) knowledge of CES Port Arthur (CESPA) operations. (b) (6), (b) (7)(C) is the Health and Safety manager for CES.

(b) (6), (b) (7)(C) was informed of the purpose of the interview and voluntarily provided the following information:

(b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) previously worked as a Health and Safety Specialist for Delta Chemical Services and was hired by CES on 06/15/2009. (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) supervisor at CES is (b) (6), (b) (7)(C) but he reports to (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) has never been, nor was aware of any

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one having been, asked to conceal any information regarding the deaths at CES or CES operations. (b) (6), said CES has open policies.

(b) (6), said the deaths at CESPAs were not related to any health or safety violations but (b) (6) did not know whether the death at CES Houston was do to any health or safety violations. (b) (6), said (b) (6) provided written statements to Texas Commission on Environmental Quality, OSHA, and Texas Mutual Insurance regarding the three CES deaths.

(b) (6), said (b) (6) was aware that (b) (6), (b) (6), former CES employee, was trying to sue CES on the basis of unsafe work conditions. (b) (6), said (b) (6) was trying to recruit current CES employees by having them take documents that might bolster (b) (6) case. (b) (6), said (b) (6) did not believe (b) (6), accusations to be true.

(b) (6), provided the names of individuals (b) (6) provided written and verbal statements to: (b) (6), (b) (6), (b) (6) - OSHA 281-286-0582 ext. (b) (6), (b) (6), (b) (7) - Tupe Law Associates for CES, (b) (6), (b) (6), - Texas Mutual Insurance 713-316-2036, City of Houston Fire Marshal 713-247-4113, (b) (6), (b) (7)(C) - TCEQ 713-767-3747.

On 08/04/2009 at approximately 1100 hours, Special Agent (b) (6), (b) (7)(C) and Regional Criminal Enforcement Officer (b) (6), (b) (6) interviewed (b) (6), regarding CESPAs drum storage area. (b) (6), assisted (b) (6), in identifying multiple drums stored by CES and explained the writing on drum labels. (b) (6), said most of the drums (NOTE: (b) (6), pointed to multiple stacks of drums) came from Delta Chemical Services, where (b) (6) used to work.

(b) (6), explained that Delta Chemical Services was a chemical packaging company; Delta received various chemicals from multiple generators and packaged them for transportation. CES would pick up chemicals from Delta Chemical Services as well as other generator like Afton, Lubrisol, Dow, etc. (b) (6), said CES would take waste chemicals as well as off-spec chemicals for the purpose of reselling.

(b) (6), said (b) (6), (b) (6) or (b) (6), (LNU, CES employees) would go to Delta often to check inventory of chemicals, inventory containers, and profile chemicals being received from Delta. (b) (6), said (b) (6), or (b) (6), would label drums before they left Delta. (b) (6), said waste generated by Delta, such as line or tank wash, would be packaged and labeled by Delta before shipment.

(b) (6), explained that a mobile field service crew handled the "slop" CES took from barges. (b) (7) said the field service crew would offload the slop into a vacuum tank or tanker truck and send it to the Griggs Road facility or to another waste handler for processing.